IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929

Bail Appl..No. 3651 of 2007()

CRMP.1989/2007 of DISTRICT COURT, PALAKKAD
CRIME NO.67/2007 OF WALAYAR POLICE STATION

.....

: PETITIONER 6TH ACCUSED

RAJESH KANNAN, AGED 21 YEARS,
S/O.RADHAKRISHNAN,PANGODU,
KANJIKODE,PALGHAT.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.A.S.SABU

RESPONDENTS: STATE

STATE OF KERALA REP.BY PUBLIC
PROSECUTOR OF KERALA HIGH COURT.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.3651 of 2007

Dated this the 18th day of June, 2007

ORDER

The petitioner is accused No.6 and he along with other accused faces the allegation inter alia under Sections 326, 307 read with 149 IPC. The crux of the allegations is that on 17.03.07, the defacto complainant was attacked by an assembly of about 35 persons at 11 p.m. Investigation revealed the complicity of the petitioner. The petitioner surrendered on 9.5.2007. He continues in custody from that date.

2. Learned counsel for the petitioner submits that the petitioner is absolutely innocent and that the allegations and contentions raised are solely on account of political animosity which was there between two different political groups. It is prayed that the petitioner may be enlarged on bail subject to appropriate conditions.

3. The learned public prosecutor opposes the application and contends that the petitioner is involved in another similar crime under Section 302 I.P.C. Release of the petitioner would adversely affect the law and order situation in the locality. In these circumstances, it is prayed that the petitioner may not be granted bail at this stage. Police need some further time to complete the investigation and till then the

petitioner may not be enlarged on bail, it is prayed.

4. The petitioner is in custody from 9/5/07. Having considered all the relevant circumstances, I am satisfied that the petitioner can be enlarged on bail subject to appropriate terms and conditions. Reasonable time can be granted to the police to complete the investigation also.

5. In the result the bail application is allowed . The petitioner shall be released on bail on the following terms and conditions:-

i) He shall not be released on the strength of this order prior to 01.07.07. Police shall in the meantime make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.75,000/-(Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

Iii) He shall not enter the limits of the Sessions Court, Palakkad until further orders without prior permission of the court concerned before which the case is pending. The petitioner shall report before the learned Judicial Magistrate of the First Class, Thrissur

at 11 a.m on all Mondays. If the petitioner is required for interrogation, the learned Magistrate may grant such permission to the Investigating Officer.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE